

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3: 10cr84-01**

UNITED STATES OF AMERICA,

Vs.

CHEVON TRAVELL BENNETT,

Defendant.

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ORDER

THIS MATTER is before the court on the Supplement to the Presentence Report (#56), filed by the USPO on August 17, 2012. Review of that document reveals that defendant may be entitled to substantial relief under Dorsey v. United States, 132 S.Ct. 2321, 2335–36 (2012). Under Dorsey, the USPO reports that defendant’s revised advisory guideline range for imprisonment would be 46-57 months and that as of August 9, 2012, defendant had been credited with 33 months service by the Bureau of Prisons. Nearly two months have now passed since such filing, resulting in defendant having served 76% of the bottom of the advisory guidelines range if the supplement were adopted by the court.

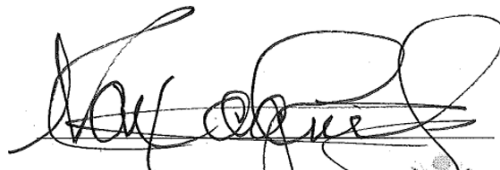
Although the time for objections under Rule 32(f)(1), Fed.R.Crim.P., to the supplemental PSR has passed, the government will be allowed 14 days to respond or object. If the government has no objection to the supplemental PSR, it may state as much by way of notice. The USPO shall prepare a proposed Order consistent with its recommendation within such period.

ORDER

IT IS, THEREFORE, ORDERED that the government file its response/objections to the supplemental PSR (#56) within 14 days. The USPO shall prepare a proposed Order consistent with its recommendation

The Clerk of Court shall send a copy of this Order to USPO Officer Morgan.

Signed: November 19, 2012



Max O. Cogburn Jr.
United States District Judge